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### REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

#### *Specification*

The disclosure was objected to because of minor typographical errors that appeared in lines 27 and 28 on page 8 and lines 17, 18, and 33 on page 12. Those typographical errors have been corrected and the objections are traversed.

#### *Claim Rejections -35 U.S.C. § 112*

Claims 13, 18 and 24 were rejected under 35 U.S.C. § 112, second paragraph because a phrase in each of the respective claims lacked antecedent. Claims 13, 18 and 24 are amended to provide proper antecedent for each of those phrases. The rejection of claims 13, 18 and 24 is thereby traversed.

Claim 33 is amended to correct a lack of antecedent for "the bearer channel".

#### *Claim Rejections -35 U.S.C. § 102*

The Office Action rejected claims 1-5, 7, 9-12 and 33-36 under 35 U.S.C. 102(b) as being anticipated by Wise et al.

With respect to claims 1-5, 7 and 9-12, claims 1 and 10 are amended to clearly distinguish over Wise et al.

Wise et al. teach a computer network audio access and conversion system that allows a user to access information originally formatted for audio/visual interfacing on a computer network via a simple telephone. A user calls a designated telephone number and request a file via dual-tone multi-frequency signaling or through voice commands. The system analyzes the request and accesses a predetermined document. This document may be a standard document file format, such a hyper-text marked-up language which is used on the World Wide Web. The document is analyzed by the system and depending on different types of formats used in the document, information is translated from an audio/visual format to an audio format and played to the user via the telephone interface. The documents may contain links to other documents which can be invoked to access such other documents. In addition, the system can have a native command capability which

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allows the system to act independently of the accessed document contents to replay a document or carry out functions similar to those available in conventional web browsers.

As shown in Fig. 3, user access is via a central office 310 which uses a speech intelligent peripheral 340 to deliver the service to the user. Consequently, content delivery is routed from the speech IP 340 through the central office 310 to the subscriber line of telephone 10. As understood by any person skilled in the art, the bearer channel of the subscriber line can only be directly accessed by the central office 310. It cannot be directly accessed by the Speech Intelligent Peripheral 340. Claims 1 and 10 as amended therefore clearly distinguish over Wise et al. and the rejection of claims 1-5, 7 and 9-12 is traversed.

With respect to claims 33-36, the rejection is not understood. The Office Action combines embodiments shown in Fig. 2, which shows a AIN implementation of the preferred embodiment (column 3, lines 43-44) with that of Fig. 2, which shows telephone connected to a personal computer that is in turn connected to a computer network 15, which is the Internet or an Intranet. The personal computer does not interface with a messaging system for communicating with a call server, or with a switch fabric as defined in the instant application. Nor does the personal computer 200 setup, tear-down or cache virtual trunk connections through a broadband trunking network. In any event, the embodiments described by Wise et al. in Figures 2 and 3 cannot be combined to show anticipation. The rejection of claims 33-36 is thereby traversed.

The Office Action rejected claims 1, 6, 8, 18-22, 24, 26, 27 and 37-40 under 35 U.S.C. 102(e) as being anticipated by Yoakum et al. in assignee's United States Patent No. 6,735,621. Yoakum et al. teach a method and apparatus for messaging between disparate networks. A service control gateway (SCG) provides the capability to extend advanced intelligent network (AIN) services transparently between circuit switched and packet networks. SS7 transaction capabilities application part (TCAP) messages are translated into session initiation protocol (SIP) INVITE messages. SIP messages, which may be responses to the translated SS7 messages are translated back into TCAP messages. Data from messages is stored in an interaction database, a data structure maintained at the

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SCG. The SCG uses the interaction database to properly format translated messages for each network.

The relevance of Yoakum is not understood. The SCG provides message translation services. Yoakum et al. do not teach a system for providing at least one of content and a service to telephone service subscribers, comprising a Content/Service Provision Node (C/SPN) having a first interface with a call control messaging network and a second interface with a Content/Service Messaging Network (C/SMN), through which content/service messages are conveyed; and Subscriber Access Control Equipment (SACE), that can access a bearer channel of a subscriber line to deliver content or a service directly to the bearer channel of the subscriber line, wherein the at least one of content and a service is effected by the C/SPN with the SACE, in response to a call control message received by the C/SPN at the first interface.

Nor does Yoakum et al. teach exchanging content/service messages between a Content/Service Provision Node (C/SPN) and Subscriber Access Control Equipment (SACE), wherein the content/service messages conform to a signaling protocol that permits the delivery of an extensible payload, and a separate component protocol, indicated in messages, to specify how at least one datum in one field of the message is to be processed using the content/service messages to convey at least one of content and service information from the C/SPN to the SACE, which interfaces with the bearer channel of associated subscriber lines to deliver the content or service directly to the bearer channel of the subscriber lines.

Amended claims 1 and 18 therefore clearly distinguish over Yoakum et al. and the rejection of claims 1, 6, 8, 18-22, 24, 26 and 27 is traversed.

With respect to claims 37-40, claim 37 is amended to include the subject matter of claim 38 and claim 38 is cancelled. Claim 37 as amended clearly distinguishes over Yoakum et al. The rejection of claims 37-40 is thereby traversed.

The Office Action rejected claims 1, 10, 11, 13 and 14 under 35 U.S.C. 102(e) as being anticipated by Donovan et al.

Donovan et al. teach a method and system for releasing a voice response unit from a protocol session. A call originator, acting as a User Agent Client in accordance

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with the Session Initiation Protocol issues messages to establish a first call leg with the voice response unit. The voice response unit performs digital collection to obtain information to authenticate the call originator and to authorize the voice call. Based on the issued messages for the call originator, the voice response unit establishes a second call leg with the call terminator. The voice response unit is released from the voice call after binding the call legs to connect the call originator to the call terminator.

The Office Action equates the voice response unit 113 with the SACE in the subject claims. However, amended claims 1 and 10 claim that the SACE can access a bearer channel of a subscriber line to deliver content or a service directly to the bearer channel of the subscriber line. The VRU 113 is an intelligent peripheral in end office 151. It has no direct access to subscriber lines and cannot deliver content or service directly to the bearer channel of the subscriber line. The rejection of claims 1, 10, 11, 13 and 14 is thereby traversed.

The Office Action rejected claims 28-31 under 35 U.S.C. 102 (e) as being anticipated by Gurbani et al.

Gurbani et al. teaches a telephone caller identification log with internet access, and describes a method for storing caller identification information as a log of answered and unanswered telephone calls at a central server. This call log server is accessible by the Internet, so if a subscriber is traveling, he or she is still able to access and read a list of answered and unanswered calls to the subscriber's home station. Internet devices such as browsers that are Internet telephony capable may return a call from the call log list using a point and click sequence. The call log may be processed from natural chronological order into a personal priority order such as: family, professional and everything else. This call log may also be forwarded via e-mail to the subscriber. Such e-mail forwarding may be either contemporaneously with call logging or periodically.

With respect to the interpretation of the cited reference, certain inaccuracies are noted. For example, the Office Action states that "internet protocol server 126 to control a remote interface (internet service provider (ISP) within PSTN 110)". As explained in column 3, lines 17 and 18 the internet protocol server 126 is preferably a hyper text transfer protocol server, also known as a web server. Consequently, as will be

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understood by any person skilled in the art, the internet protocol server is responsive to queries sent through the internet. It does not control a remote interface nor is it adapted to do so. In particular, a protocol server 126 cannot control an ISP.

The Office Action then equates the ISP with the subscriber access equipment (SACE). However, the Office Action ignores the limitation in paragraph (b) of claim 28 that the SACE interfaces with the subscriber line. In Gurbani, one or more trunks separate the subscriber line from the ISP. It is therefore inaccurate to characterize the ISP as a SACE having an interface with the subscriber line.

In any event, claim 28 is amended to claim that the content/service messages received at the call server are relayed as control signaling messages to the SACE having an interface with a subscriber line, to control the SACE to deliver content or a service directly to the bearer channel of the subscriber line. This is neither taught nor suggested by Gurbani and the rejection of claims 28-31 is traversed.

The Office Action rejects claims 18, 19, 25, 28 and 32 under 35 U.S.C. 102(e) as being anticipated by Vuong:

Vuong teaches a communication system that includes a first network of a first type and second network of a second type. One example of the first network is a circuit-switched network that employs a time-division multiplexing (TDM) scheme. An example of the second network is packet-based network such as an Asynchronous Transfer Mode (ATM) network or an Internet Protocol (IP) network. A call request originated in the first network is received by a gateway system coupled between the first network and the second network. A call is then established over the second network. A success indication of the call over the second network is waited for before establishing a bearer traffic connection between the first network and the second network.

The Office Action equates a first gateway 14 which provides for interworking between the circuit-switched networks and the packet-based networks (column 3, line 66-column 4, line 2) with the content/service provisioned node and the

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second gateway 16 with the subscriber access control equipment. However, as clearly taught in Vuong, gateways 14 and 16 are identical and serve the same function. It is therefore respectfully submitted that they cannot be equated with different elements having different functions to show anticipation.

Furthermore, claim 18 is amended to claim using the content/service messages to convey at least one of content and service information from the content service provider node to the subscriber access equipment, which interfaces with the bearer channel of associated subscriber lines to deliver the content or service directly to the bearer channel of the subscriber lines. This is neither taught nor suggested by Vuong and the rejection of claim 18 is traversed. With respect to claim 19, the same arguments apply and the rejection of claim 19 is likewise traversed.

With respect to claim 28, the arguments with respect to claim 18 also apply and the rejection of claim 28 is traversed.

***Claim Rejections -35 U.S.C. § 103***

The Office Action rejected claims 15-17 under 35 U.S.C. 103(a) as being unpatentable over Wise in view of Rondeau. Claims 15-17 depend from amended claim 10. For reason set forth above with respect to claim 10, Wise neither teaches nor suggests anything that would lead a person of ordinary skill in the art to the invention claimed in claim 10. Rondeau does not cure the deficiencies of Wise, and thus the combination of Wise and Rondeau does not teach or suggest the invention claimed in claim 10. For reasons set forth above with reference to claim 10, the rejection of claims 15-17 is likewise traversed.

The Office Action rejects claim 23 under 35 U.S.C. § 103 (a) as being unpatentable over Yoakum et al. in view of Yoakum et al. in United States Patent No. 6,421,674.

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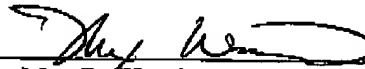
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Yoakum et al. and Yoakum et al. are commonly owned patents and are therefore not available as prior art under 102(e)/103(a). The rejection of claim 23 is thereby traversed.

*Conclusion*

In view of the amendments made to the disclosure pages 8 and 12, as well as the amendments made to claims 1, 10, 13, 18, 19, 24, 28, 33 and 37 and for reasons set forth above in detail, this application is considered to be in a condition for immediate allowance. Favourable reconsideration and early issuance of a Notice of Allowance is requested.

Respectfully submitted,

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